
CHAPTER 84.01 ACCESSORY STRUCTURES AND USES

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84.01.010 Purpose

This Chapter establishes the regulations and criteria that determine the location of compatible accessory uses within various land use zoning districts.

Adopted Ordinance 4011 (2007); Amended Ordinance 4067 (2009)

84.01.020 General Development Standards

- (a) **Land use zoning district regulations applicable.** Unless otherwise provided, accessory structures and uses shall be subject to the same regulations as the primary structure or use, including projections into setbacks specified in Section 83.02.080 (Allowed Projections).
- (b) **Legally established primary use.** An accessory structure or use shall always exist in conjunction with, and never without, a legally established primary structure or primary use that has the same common owner. *Where the primary use is a residence, it shall not be enclosed within an accessory structure. Where the primary use has not yet been established, an accessory structure may only be built subject to the issuance of a Temporary Use Permit in compliance with Chapter 84.25 Temporary Structures and Uses.*
- (c) **Use of accessory structure.** The use of an accessory structure may be for either a primary or an accessory use allowed by the applicable land use zoning district.
- (d) **Determination of accessory uses.** In addition to the accessory uses specifically provided for by this Chapter or elsewhere within this Development Code, each land use shall be deemed to include other accessory uses that are necessarily and customarily associated with and are clearly incidental and subordinate to the primary land use. Whenever the accessory uses are questioned, the Director shall be responsible for determining if a proposed accessory use meets the criteria in this Chapter. Before making a determination, the Director shall give notice to contiguous property owners in compliance with Section 85.02.030 (Staff Review with Notice).
- (e) **Maximum site coverage.** The combination of accessory and primary structures on a parcel shall not exceed the maximum site coverage allowed by the applicable land use

zoning district regulations in Division 2 (Land Use Zoning Districts and Allowed Land Uses).

(f) **Location on same or contiguous abutting parcel.** Accessory structures or uses shall be located on either:

- (1) The same parcel as the primary structure or use; or
- (2) A contiguous abutting parcel that is owned by the same owner who owns the parcel that has the primary structure or use, with the exception of guest housing in compliance with Subsection 84.01.050(b), below. An accessory use may or may not entail the use of a structure.

Adopted Ordinance 4011 (2007); Amended Ordinance 4067 (2009); Amended Ordinance 4085 (2009)

84.01.030 Agricultural Accessory Structures and Uses

This Section provides standards for accessory structures and uses that are customarily related to an agricultural use.

- (a) **Animal keeping.** Animal keeping activities are governed by Chapter 84.04 (Animal Keeping)
- (b) **Row field tree and nursery crop and animal product sales stand.** The retail trade of plant or animal products primarily grown on the subject property shall be allowed when displayed from one stand with a floor area no larger than 200 square feet on parcels greater than 10,000 square feet in area. Standards for produce stands are provided in Chapter 84.03. (Agritourism Enterprises).
- (c) **Caretaker housing.** A caretaker dwelling unit may be located anywhere on the property at the discretion of the property owner. The unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. Recreational vehicles shall not be used for caretaker housing. **Existing residential structures are exempt from this maximum square footage requirement.**
- (d) **Seasonal Labor Quarters.** Labor quarters for agricultural operations that are limited to three months of the year that encompass the harvest season of the agricultural product may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Title.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4098 (2010)

84.01.040 Commercial and Industrial Accessory Structures and Uses

This Section provides standards for accessory structures and uses that are customarily related to commercial and industrial uses.

- (a) **Exterior storage.** Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).
- (b) **Caretaker housing.** The caretaker dwelling unit may be located either above the first floor or behind a primary commercial use. The unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. Recreational vehicles shall not be used for caretaker housing. **Existing residential structures are exempt from this maximum square footage requirement.**
- (c) **Seasonal Labor Quarters.** Labor quarters for commercial or industrial operations that are limited to three months of the year may utilize recreational vehicles as temporary labor quarters. A Site Plan Permit shall still be required to ensure proper services are supplied to the temporary laborers. Also, a Special Use Permit shall be required to monitor the use. Failure to obtain both the Site Plan Permit and the Special Use Permit required under this subsection shall render the placement, use and/or occupancy of recreational vehicles or similar vehicles unlawful and subject to enforcement under Chapter 86.09 of this Title.

Adopted Ordinance 4011 (2007); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4098 (2010)

84.01.050 Residential Accessory Structures and Uses

This Section provides standards for Accessory Structures and Uses that are customarily related to residential single-family dwelling units (e.g., play yards, pools, storage sheds, etc.) or that are residential in nature (e.g., caretaker housing, guest housing, second dwelling units, etc.).

- (a) **Number of accessory residential uses.** In addition to a single-family dwelling unit, only one of the following uses shall be allowed on parcels less than five acres in size:
 - (1) A second dwelling unit shall be allowed provided that the parcel area is at least two times the minimum lot size specified by the land use zoning district for the subject property. If a parcel with a second dwelling unit is subsequently subdivided, the County may require the second dwelling unit be moved if proper setbacks and other development standards cannot be met.
 - (2) Dependent housing.

- (3) Caretaker housing. The caretaker dwelling unit shall be a minimum 600 square feet in area and a maximum 1,200 square feet in area. The unit shall be limited to two bedrooms, and its architectural design shall be compatible with the neighborhood. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the caretaker dwelling unit shall not extend in front of the primary structure. Recreational vehicles shall not be used for caretaker housing. The provisions of Subsection 84.21.030(i) of this Title shall apply to a manufactured home used as caretaker housing.
- (b) **Guest housing.** Guest housing shall be located on the same parcel as the primary dwelling unit and shall be separated from it by at least 10 feet. Guest housing shall be for use by temporary guests of the occupants of the primary dwelling unit and shall not be rented or otherwise used as a separate dwelling. Only one guest house shall be allowed. In the Single Residential (RS) or the Multiple Residential (RM) land use zoning districts on parcels less than 2.5 acres in size, the guest housing unit shall not extend in front of the primary structure. The provisions of Subsection 84.21.030(i) of this Title shall apply to a manufactured home used as guest housing.
- (c) **Parking.** Parking for accessory residential dwelling units shall comply with Chapter 83.11 (Parking and Loading Standards).
- (d) **Carport and/or garage.** Detached carports or garages shall be limited to 1,200 square feet when located on parcels that are less than 20,000 square feet in size.
- (e) **Other residential accessory structures and uses.** Except in the Mountain Region, structures and uses such as cabanas, tennis courts, ramadas, water towers and wells, swimming pools, storage buildings shall not extend in front of the primary structure where the primary structure faces a street right-of-way. See Section 83.02.080 (Allowed Projections into Setbacks).
- (f) **Detached storage structures.** Parcels that are one acre or less in size shall be limited to only one detached storage structure that exceeds 120 square feet and the storage structure shall not exceed 1,000 square feet. Except in the Mountain Region, detached storage structures shall not extend in front of the primary structure where the primary structure faces a right-of-way.
- (g) **Freight containers and similar storage-type structures.**
- (1) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the RS (Single Residential) or RM (Multiple Residential) land use zoning districts provided that they are structurally altered to be similar to, and compatible with, the appearance of the on-site primary structure and the surrounding neighborhood and setting, subject to the satisfaction of the Director through an approved Compatibility Determination [see Subsection (l) below]. Such railroad car, container or similar storage-type structure shall be placed behind the primary structure and not prominently visible from the street.

- (2) Freight containers, railroad cars, intermodal containers, and other similar storage-type structures shall be allowed as accessory structures in the Agriculture (AG) or Rural Living (RL) land use zoning districts provided that they shall be altered, either painted or structurally altered, to appear to be similar to, and compatible with, the appearance of the on-site primary structure and the surrounding neighborhood or to blend in with the surrounding environment. Such railroad car, container or similar storage-type structure shall be allowed provided that the container can be placed behind the primary structure and not prominently visible from the street.
- (h) **Animal keeping.** Accessory animal keeping shall be conducted as specified in Chapter 84.04(Animal Keeping).
- (i) **Exterior storage.** Exterior storage shall be fully and solidly screened and kept below the level of the fence or other screening mechanism. Exterior storage shall comply with Title 3 (Health and Sanitation and Animal Regulations) of the County Code. Screening of exterior storage shall comply with Section 83.02.060 (Screening and Buffering).
- (j) **Residential crop production.** Accessory crop production shall be allowed on parcels of 10,000 square feet or more, with a temporary sales facility for plant or animal products grown on the subject property. The sales facility shall not be larger than 200 square feet in area and shall display produce for sale for no longer than 72 hours in any calendar month. Standards for produce stands are provided in Chapter 84.03 (Agritourism Enterprises). This does not include wholesale or retail nurseries.
- (k) **Private office.** A private office shall be for the sole use of the dwelling unit occupants within a primary structure and shall have no external advertising or signs.
- (l) **Compatibility.** In the RS (Single Residential) and RM (Multiple Residential) land use zoning districts, the appearance of an accessory structure shall be similar to, and compatible with, the appearance of the primary structure and the surrounding neighborhood and setting. A Compatibility Determination application shall be approved by the Planning Division of the Land Use Services Department to allow such a structure. Screening such a structure from view from the street or the physical alteration of such a structure, such as painting or otherwise altering the structure, may be considered in the approval of the application.
- (m) **Storage of firewood.** The storage of firewood shall comply with Chapter 84.09 (Firewood Storage).

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009); Amended Ordinance 4245 (2014)

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